

ATTACHMENT C



EXECUTIVE CHAMBERS
HONOLULU

BENJAMIN J. CAYETANO
GOVERNOR

November 5, 1997

ADMINISTRATIVE DIRECTIVE NO. 97-03

TO: All Department and Agency Heads

SUBJECT: Non-Discrimination to Programs, Services, and Activities of the State of Hawaii on the Basis of Disability

The State of Hawaii shall ensure that no qualified individual with a disability is excluded from participation in, denied the benefits of, or is otherwise subjected to discrimination by any program, service, or activity of the State of Hawaii, on the basis of disability. Individuals with disabilities must be assured an equal opportunity to participate in the programs, services, and activities offered by State government departments and agencies. This right includes not only the opportunity to participate, but an opportunity that is equally effective as that provided to individuals without disabilities.

Services and programs of the State of Hawaii shall be delivered in the most integrated setting appropriate to the individual's level of need. The integration of individuals with disabilities is the goal of the law and our goal.

In the delivery of programs, services, and activities, the State of Hawaii departments and agencies shall not use eligibility criteria that screen out or tend to screen out individuals with disabilities unless such eligibility criteria are necessary for the provision of the program, service, or activity.

Furthermore, the State of Hawaii departments and agencies shall not have policies that are discriminatory or engage in actual practices that are discriminatory. When implementing actions which are required to provide equal access, departments and agencies shall not assess a surcharge on individuals with disabilities to offset the costs associated with providing the access.

Policies, practices, and procedures of departments and agencies must be modified when necessary to avoid discrimination against individuals with disabilities, unless to do so would fundamentally alter the nature of the program, service, or activity or create undue administrative or financial burden.

A handwritten signature in black ink that reads "Benjamin J. Cayetano".

BENJAMIN J. CAYETANO

ATTACHMENT D



EXECUTIVE CHAMBERS HONOLULU

BENJAMIN J. CAYETANO
GOVERNOR

November 5, 1997

ADMINISTRATIVE DIRECTIVE NO. 97-02

TO: All Department and Agency Heads

SUBJECT: Communication Access for Persons with Disabilities to Programs, Services, and Activities of the State of Hawaii

The State of Hawaii shall ensure that all individuals with disabilities have communication access to programs, services, and activities of the State of Hawaii which are equally effective as that provided to individuals without disabilities. To meet the requirements of this directive, departments and agencies of the State of Hawaii shall provide specific communication access in the form of auxiliary aids or services upon the request of a qualified individual with a disability.

Auxiliary aids include services, equipment, or devices that provide effective communication access to people with disabilities. They may include, as examples, qualified Sign Language interpreters; real-time captioning services; open and closed captioning services; print scanners; readers; or materials in accessible formats such as large print, audio cassette, or Braille.

In choosing an auxiliary aid or service, departments and agencies shall give primary consideration to the aid or service requested by the individual, unless the department or agency can show that another means can be provided which is as effective as communication provided to others.

When securing the services of Sign Language interpreters or other communication assistants, departments and agencies shall follow the guidelines for the "Utilization of Sign Language/English and Oral Interpreter Services," and pursuant to Hawaii Administrative Rules Chapter 11-218, as adopted by the Hawaii State Coordinating Council on Deafness.

When departments and agencies engage in telephone communications with the public, equally effective communication with individuals with disabilities, including hearing and speech disabilities, shall be provided through the use of a text telephone or the telephone relay service. Departments and agencies shall ensure that all employees are trained in the proper use of both a text telephone and the telephone relay service. Those departments and agencies that provide direct telephone access to emergency services, operate public hot lines, or provide information where timeliness and confidentiality are critical, must have a text telephone; reliance on the telephone relay service is not considered to be an acceptable alternative.

Departments and agencies may establish reasonable timeframes for individuals to request the provision of auxiliary aids or services in order to respond adequately and fill those requests.

A handwritten signature in cursive script, reading "Benjamin J. Cayetano".
BENJAMIN J. CAYETANO